



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. WR-81,178-02

EX PARTE HAROLD JAMES REAVES, Applicant

**ON APPLICATION FOR A WRIT OF HABEAS CORPUS
CAUSE NO. 1335623-B IN THE 179TH DISTRICT COURT
FROM HARRIS COUNTY**

Per curiam.

OPINION

Applicant was convicted of aggravated robbery with a deadly weapon and sentenced to 25 years' imprisonment. He filed this application for a writ of habeas corpus in the county of conviction, and the district clerk forwarded it to this Court. *See* TEX. CODE CRIM. PROC. art. 11.07.

Applicant contends, among other things, that he did not receive timely notice from the appellate court or counsel notifying him of the disposition of his appeal and informing him of his right to file a PDR. He would have filed a PDR if he had been aware of his rights. He avers that he is entitled to an out-of-time PDR. *Ex parte Florentino*, 206 S.W.3d 124, 125 (Tex. Crim. App. 2006). Based on the record, the trial court has determined that Applicant was denied the right to file a *pro se* petition for discretionary review through no fault of his own.

Relief is granted. *Ex parte Riley*, 193 S.W.3d 900 (Tex. Crim. App. 2003). Applicant may file an out-of-time petition for discretionary review of the judgment of the First Court of Appeals in cause number 01-13-00651-CR. Should Applicant decide to file a petition for discretionary review, he must file it with this Court within thirty days from the date of this Court's mandate.

Copies of this opinion shall be sent to the Texas Department of Criminal Justice—Correctional Institutions Division and the Board of Pardons and Paroles.

Delivered: April 12, 2023
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